

REMARKS

Claims 1-6, 8-22 and 24-35 have been examined. Claims 2, 13, 18 and 29 have been canceled without prejudice or disclaimer. Applicants reserve the right to pursue these claims in a divisional or continuation application.

Claims 33-35 stand rejected under 35 U.S.C. § 101. Furthermore, claims 1, 12-15, 17, 28-31, 33 and 35 stand rejected under 35 U.S.C. § 103.

Applicants thank the Examiner for indicating that claims 6, 8-11, 22, 24-27 are allowed and that claims 2-5, 16, 18-21 and 32 contain allowable subject matter.

I. Rejection under 35 U.S.C. § 101

Claims 33-35 are rejected under 35 U.S.C. § 101 because the invention is allegedly directed to non-statutory subject matter. In particular, the Examiner asserts that page 14, lines 24-27, discloses that the computer readable recording medium is in the form of a carrier wave, which is not a “process, machine, manufacture, or composition of matter or any new and useful improvement thereof.” Therefore, Applicants amend the specification by deleting “carrier wave” from the disclosure in order to overcome the rejection.

Since claim 34 is not rejected in view of the cited art below, claim 34 should be in a condition for allowance at least by virtue of its dependency upon claim 22.

II. Rejections under 35 U.S.C. § 103

A. Claims 1, 12, 17, 28, 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman (US Pub. No. 2003/0161340), in view of Abedeen et al. (US 5,327,432).

Applicants amend the claims by rewriting claims 16 and 32 into independent form to place these claims in a condition for allowance. Also, Applicants incorporate the features of claims 2 and 18 into claims 1 and 17, respectively, to place claims 1 and 17 in a condition for allowance. Lastly, Applicants incorporate the features of claims 13 and 29 into claims 12 and 28, respectively, and traverse the rejection to claims 12 and 28 based on the comments below with respect to claims 13 and 29.

Applicants submit that claims 33 and 35 are patentable at least by virtue of their respective dependencies.

B. Claims 13-15, 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman in view of Abedeen, as applied to claim 12 above, and further in view of Yew et al. (US Pub. No. 2003/0108059). Applicants traverse the rejections based on the following comments.

Claim 12, as amended, recites:

wherein the coordinator polling list making apparatus requests to make the polling list when the polling list is not made or when all reservation request frames are not received from the stations having transmitted the reservation request frames during the controlled contention interval, and transmits a poll frame to each of the stations, having transmitted the reservation request frames that are received, through the predetermined channel according to the poll frame transmission sequence comprised in the polling list; and

when the station polling list making apparatus receives the poll frame transmitted through the predetermined channel from the coordinator polling list making apparatus according to the poll frame transmission sequence comprised in the polling list, the station polling list making apparatus transmits the data frame to a destination station among the stations through the predetermined channel during a data transmitting/receiving period designated by the poll frame.

The Examiner correctly concedes that Sherman and Abedeen fail to teach “the coordinator polling list making apparatus requests to make the polling list when the polling list is not made or when all reservation request frames are not received from the stations having transmitted the reservation request frames during the controlled contention interval,” but contends that Yew teaches these features. In particular, the Examiner asserts that paragraph 92, lines 1-6, of Yew teaches the above noted features. However, paragraph 92 of Yew merely relates to a Quality of Service (QOS) registration using a non-QOS poll request when a reservation request (RR) fails. That is, paragraph 92 of Yew merely teaches a registration method for a station (Ta), where the station sends a reservation request (RR), a QOS registration request or a non-QOS registration request to the Access Point (AP) and the AP recognizes the RR, the QOS registration request or the non-QOS registration request as being accepted (paragraphs 91-94; see also paragraphs 71-87). However, the registration of a station with the Access Point via a reservation request (RR), or the like, is not equivalent to making a polling list which comprises the poll frame transmission sequence, according to claim 12. Yew simply does not teach this feature of claim 12.

Furthermore, it appears Yew discloses nothing more than a mobile station sending a Resource Reservation (RR) to the Hybrid Coordinator (HC) to await an allocation of bandwidth as taught in Sherman (see Sherman, paragraph 8). Neither Sherman, nor Yew, however, teaches “the coordinator polling list making apparatus requests to make the polling list when the polling list is not made or when all reservation request frames are not received from the stations having transmitted the reservation request frames during the controlled contention interval,” as recited in claim 12.

Thus, Yew fails to correct the deficiencies of Sherman and Abedeen in view of claim 12. Also, claim 28 includes analogous, though not necessarily coextensive features recited in claim 12, and therefore, claim 28 is patentable for the reasons discussed for claim 13.

Therefore, Sherman, alone or in combination with Abedeen and Yew, fails to teach or suggest each and every feature of claims 12 and 28. Furthermore, claims 14, 15, 30 and 31 are patentable at least by virtue of their respective dependencies.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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